

UNITED STATES DISTRICT COURT SOUTHERN DISTRICT OF NEW YORK

Date Purchased: October 16, 2007

Date Filed:

Court Date:

## COUNTY

ATTORNEY(S): Kathleen A. Zebrowski Esq. : U.S. Attorney's Office - SDNY PH: 212-637-2710

ADDRESS: 86 Chambers Street New York N.Y. 10007 File No.:

UNITED STATES OF AMERICA,  
vs.  
WILHELMINA TOMLINSON,

Plaintiff(s)/Petitioner(s)

Defendant(s)/Respondent(s)

STATE OF NEW YORK, COUNTY OF NASSAU SS.:

DAVID LEVINE, being duly sworn deposes and says: Deponent is not a party herein, is over 18 years of age and resides in New York State. On October 23, 2007 at 1:53 PM at 129 PALISADE AVENUE YONKERS, NY 10701, deponent served the within

## Summons and Verified Complaint

with Index Number 07 CIV 9283, and Date Purchased October 16, 2007 endorsed thereon, on: WILHELMINA TOMLINSON, Defendant therein named.

#1 INDIVIDUAL  By delivering a true copy of each to said recipient personally; deponent knew the person served to be the person described as said person therein.#2 CORPORATION  By delivering to and leaving with \_\_\_\_\_ and that deponent knew the person so served to be Managing Agent of the corporation, and authorized to accept service on behalf of the corporation.*Service was made in the following manner after your deponent was unable, with due diligence, to serve the witness/defendant in person, and an attempt to locate the defendant's place of employment.*#3 SUITABLE AGE PERSON  By delivering a true copy of each to "JANE DOE" - COTENANT a person of suitable age and discretion. Said premises is recipient's [ ] actual place of business [X] dwelling house (usual place of abode) within the state.#4 AFFIXING TO DOOR  By affixing a true copy of each to the door of said premises, which is recipient's: [ ] actual place of business [ ] dwelling house (place of abode) within the state.#5 MAIL COPY  On October 31, 2007, deponent completed service under the last two sections by depositing a copy of the Summons and Verified Complaint to the above address in a 1st Class postpaid properly addressed envelope marked "Personal and Confidential" in an official depository under the exclusive care and custody of the United States Post Office in the State of New York. Certified Mail No. \_\_\_\_\_

Deponent was unable, with due diligence to find recipient or a person of suitable age and discretion, having called

thereat on the \_\_\_\_\_ day of \_\_\_\_\_ at \_\_\_\_\_  
on the \_\_\_\_\_ day of \_\_\_\_\_ at \_\_\_\_\_  
on the \_\_\_\_\_ day of \_\_\_\_\_ at \_\_\_\_\_  
on the \_\_\_\_\_ day of \_\_\_\_\_ at \_\_\_\_\_#6 NON-SRVC  After due search, careful inquiry and diligent attempts, I have been unable to effect process upon the person/entity being served because of the following: [ ] Unknown at Address [ ] Evading [ ] Moved left no forwarding [ ] Address does not exist [ ] Other: \_\_\_\_\_#7 DESCRIPTION  A description of the Defendant, or other person served, or spoken to on behalf of the Defendant is as follows:  
Sex Female Color of skin Black Color of hair Black Age 36 - 50 Yrs. Height 5' 4" - 5' 8"  
(use with #1, 2 or 3) Weight 161 - 200 Lbs. Other Features: \_\_\_\_\_#8 WIT. FEES  the authorized witness fee and / or traveling expenses were paid (tendered) to the recipient.#9 MILITARY SRVC  Deponent asked person spoken to whether the defendant was presently in military service of the United States Government or of the State of New York and was informed that defendant was not.#10 OTHER  "JANE DOE" REFUSED TO GIVE HER NAME.

Sworn to before me on this 31 day of October, 2007

BARBARA A. SHURGIN  
NOTARY PUBLIC, State of New York  
No. 30-5004737, Qualified in Nassau County  
Commission Expires November 23, 2010

DAVID LEVINE

Server's Lic # 0778982

Invoice•Work Order # 0754331

CAPITAL PROCESS SERVERS, INC. 265 Post AVENUE SUITE 150, WESTBURY, NY 11590 -TEL 516-333-6380 • FAX 516-333-6382